

645
IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4th DAY OF JUNE, 1998.

BEFORE

THE HON'BLE MR. JUSTICE V.K. SINGHAL

WRIT PETITION No. 23806 OF 1994.

BETWEEN:

M/s. V. Yogendra Babu,
No. 103, Laxmi Market,
J.M. Road, Bangalore.
by Prop: V. Yogendra Babu,
Major. ... Petitioner.

(By Sri. B. V. Katageri, Adv. for Petitioner.)

AND:

1. The State of Karnataka,
by its Chief Secretary,
Vidhana Soudha,
Bangalore- 1. ... Respondent.

646

- 2 -

2. The Asst. Commissioner
of Commercial Taxes,
27th Circle, Bangalore. ... Respondents.

(BY ~~mt.~~ S. Sujatha, HOGP for Respondents.)

Writ petition is filed under Articles
226 and 227 of the Constitution of India,
with an affidavit, praying to declare that
the provisions of Sec. 5(3) ^(c) its ~~with the~~ proviso
as unconstitutional and void in so far it
leavies the tax on the silk fabrics under
KST Act. 1957. and ~~stays~~ Quash the assessment
Order dt: 9.6.94 passed by the R-2 for the -
period 1988-89 vide Annexure-'A'.^y etc.,

Writ petition is coming on for ~~preli-~~
^{order}
~~minary hearing~~ this day the Court made the
following:

ORDER

Validity of Section 5(3) (c) of KST
Act, 1957 has already been upheld in the case

647

- 3 -

case of JANKARDHAN SILK HOUSE Vs. STATE OF
KARNATAKA - W.P.Nos. 752/93 and 753 of 93
decided on 16.4.97. The petitioner may file
an appeal on the rest of the points, if any
within 4 weeks from to-day. Writ Petition
is dismissed with the above observations.

Sd/-JUDGE:

ss.

r.by: 2/18/98

c.by: PMW

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Assistant Registrar,
High Court of Karnataka,
Bangalore-560 001.

2/18/98



